

DOCKET: CU-2535

EXHIBIT 1

**IN THE UNITED STATES PATENT & TRADEMARK OFFICE**

APPLICANT: Jan Raa et al.

SERIAL NO: 09/854,908

FILING DATE: May 14, 2001

TITLE: Bioactive Peptides, Uses Thereof, and Process for the  
Production of Same)  
)  
) Group Art Unit: 1653  
)  
) Examiner: A. Mohamed  
)The Assistant Commissioner for Patents  
Washington, D.C. 20231**TRANSMITTAL LETTER**

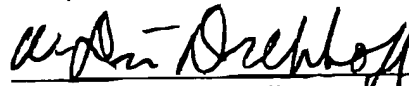
Dear Sir:

Please find enclosed the following:

1. Amendment to Office Action dated June 25, 2002.
2. Marked and clean version of amended claim 17
3. Request for three month extension of time
4. Check no. 033593 for \$460.00
5. Post card receipt

If any credits or fees are due, please charge deposit account no. 12-0400.

Respectfully submitted,



Attorney for Applicants

W. Dennis Drehkoff  
c/o Ladas & Parry  
224 S. Michigan Avenue  
Chicago, IL. 60604  
(312)-427-1300  
Reg. No. 27193Adjustment date: 02/06/2003 GDUCKETT  
01/02/2003 HUUONG1 00000021 09854908  
01 FC:2253 -460.00 OP  
December 23, 2002

***Certification under 37 CFR 1.8a***

I hereby certify that this paper (along with any paper referred to as being attached or enclosed) is being deposited with The United States Postal Service with sufficient postage as first class mail in an envelope addressed to The Assistant Commissioner for Patents, Washington, D.C. 20231 on December 23, 2002.

W. Dennis Drehkoff

Name



Signature

DOCKET: CU-2535

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SERIAL NO: 09/854,908

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TITLE: Bioactive Peptides, Uses Thereof, and Process for the  
Production of Same)  
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) Group Art Unit: 1653  
)  
) Examiner: A. Mohamed  
)The Assistant Commissioner for Patents  
Washington, D.C. 20231**AMENDMENT**

This is in response to the Office Action mailed June 25, 2002. Applicant submits an amendment to the claims as well as a Request for Three-Month Extension of Time to extend the period of reply to December 25, 2002, with a check for the appropriate fee.

**IN THE CLAIMS:**

Please replace Claim 17 with amended Claim 17.

Please see marked up version of Claim 17 to aid the Examiner in the identification of changes.

Please delete Claims 18-21 without prejudice and without admitting anticipation.

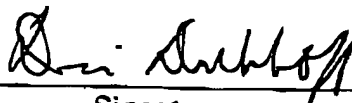
EXHIBIT 2A

Certification under 37 CFR 1.8a

I hereby certify that this paper (along with any paper referred to as being attached or enclosed) is being deposited with The United States Postal Service with sufficient postage as first class mail in an envelope addressed to The Assistant Commissioner for Patents, Washington, D.C. 20231, on December 23, 2002.

W. Dennis Drehkoff

Name



Signature

DOCKET: CU-2535

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

APPLICANT: Jan Raa et al.

SERIAL NO: 09/854,908

FILING DATE: May 14, 2001

TITLE: Bioactive Peptides, Uses Thereof, and Process for the  
Production of Same

) Group Art Unit: 1653

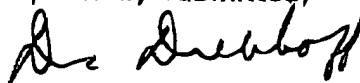
) Examiner: A. Mohamed

THE ASSISTANT COMMISSIONER FOR PATENTS  
Washington, D.C. 20231REQUEST FOR THREE MONTH EXTENSION

Sir:

With reference to the Office Action dated June 25, 2002, Applicant respectfully requests a three-month extension of the response term, from the present term of December 25, 2002, up to a new term of December 25, 2002. Enclosed is a check in the amount of \$460 to cover the fee for this three-month extension. The Commissioner is authorized to charge our Deposit Account No. 12-0400 for any required fees in excess of the amount submitted, or credit any overpayment.

Respectfully submitted,

December 23, 2002

Date

Attorney for Applicant  
W. Dennis Drehkoff  
c/o Ladas & Parry  
224 South Michigan Avenue  
Chicago, Illinois 60604  
(312) 427-1300  
Reg. No. 45613

## EXHIBIT 2B

The Patent & Trademark Office acknowledges and has stamped hereon the date of receipt of the item checked below:

- |   |   |
|---|---|
| <input type="checkbox"/> New pat./design/PCT appln.             | <input type="checkbox"/> Assignment & Recordal Cover Sheet                |
| <input checked="" type="checkbox"/> Transmittal letter          | <input type="checkbox"/> CC of priority document                          |
| <input checked="" type="checkbox"/> Fee Transmittal (PTO/SB/17) | <input type="checkbox"/> Application Data Sheet                           |
| <input type="checkbox"/> _____ pages spec./abstract             | <input type="checkbox"/> Amendment/Response                               |
| <input type="checkbox"/> _____ pages of _____ claims            | <input checked="" type="checkbox"/> Request for Extension <u>3 mo</u>     |
| <input type="checkbox"/> _____ sheets of drawings               | <input checked="" type="checkbox"/> Fee <u>\$460</u> <u>CK No. 033593</u> |
| <input type="checkbox"/> Declaration/Power                      | <input type="checkbox"/> Other _____                                      |

APPLICANT: Rag et alSERIAL NO: 09/854,908FILED: 5-14-02TITLE: BIOACTIVE PEPTIDES, USES  
THEREOF + PROCESS FOR PRODUCTIONDOCKET: CU2535 DATE: 12-23-02

EXHIBIT 2C

date of receipt of the item checked bel w:

- ☐ New pat./design/PCT appln.  
☒ Transmittal letter  
☒ Fee Transmittal (PTO/SB/17)  
☐ pages spec./abstract  
☐ pages of claims  
☐ sheets of drawings  
☐ Declaration/Power  
☐ Assignment & Recordal Co.  
☐ CC of priority document  
☐ Application Data Sheet  
☐ Amendment/Response  
☒ Request for Extension  
☒ Fee 4460 CEN. 033593  
☐ Other

APPLICANT: Rac up alSERIAL NO: 09/854,908FILED: 5-14-02
 TITLE: Biocative Peptides, Uses  
Thereof & Process For Production  
 DOCKET: CU2535 DATE: 12-23-02

THE FACE OF THIS DOCUMENT HAS A COLORED BACKGROUND ON WHITE PAPER

LADAS &amp; PARRY

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WWW.LADAS-PARRY.COM

THE NIGHTHAWK JUST COMPANY

DENVER, CO 80202

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THE BACK OF THIS DOCUMENT CONTAINS AN ARTIFICIAL WATERMARK - HOLD AT AN ANGLE TO VIEW

0033593 00710001520 0000203175

EXHIBIT 3

**Certification under 37 CFR 1.8b**

I hereby certify that this paper (along with any paper referred to as being attached or enclosed) is being facsimile transmitted to the U.S. Patent and Trademark Office to Examiner A. Mohamed at Fax No. (703)305-7401 on January 24, 2003.

W. Dennis Drehkoff  
Name

  
Signature

DOCKET: CU-2535

**IN THE UNITED STATES PATENT & TRADEMARK OFFICE**

APPLICANT: Jan Raa et al. )  
SERIAL NO: 09/854,968 ) Group Art Unit: 1653  
FILING DATE: May 14, 2001 ) Examiner: A. Mohamed  
TITLE: Bioactive Peptides, Uses Thereof, and Process for the  
Production of Same )

The Assistant Commissioner for Patents  
Washington, D.C. 20231

**TRANSMITTAL LETTER**


Dear Sir:

Transmitted herewith is a copy of the response mailed December 23, 2002 with the correct serial number.

Applicant apologizes for any inconvenience the typographical error may have caused.

January 24, 2003

Respectfully submitted,

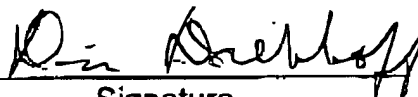
  
W. Dennis Drehkoff, Reg. No. 27193  
Attorney for Applicant  
Ladas & Parry  
224 S. Michigan, Ste. 1200  
Chicago, IL 60604  
312-427-1300

***Certification under 37 CFR 1.8a***

I hereby certify that this paper (along with any paper referred to as being attached or enclosed) is being deposited with The United States Postal Service with sufficient postage as first class mail in an envelope addressed to The Assistant Commissioner for Patents, Washington, D.C. 20231 on December 23, 2002.

W. Dennis Drehkoff

Name



Signature

DOCKET: CU-2535

**IN THE UNITED STATES PATENT & TRADEMARK OFFICE**

APPLICANT: Jan Raa et al.

SERIAL NO: 09/854,968

FILING DATE: May 14, 2001

TITLE: Bioactive Peptides, Uses Thereof, and Process for the  
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)  
) Group Art Unit: 1653  
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) Examiner: A. Mohamed  
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**IN THE CLAIMS:**

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Please delete Claims 18-21 without prejudice and without admitting anticipation.

**REMARKS**

Reconsideration of the above-identified application is respectfully requested.

EXHIBIT 4

- 698181425

PTO/SB/17 (09-00)

Approved for use through 10/31/2002. OMB 0851-0032

U.S. Patent and Trademark Office; U.S. DEPARTMENT OF COMMERCE

Under the Paperwork Reduction Act of 1995, no persons are required to respond to a collection of information unless it displays a valid OMB control number.

# FEE TRANSMITTAL for FY 2001

Patent fees are subject to annual revision.

TOTAL AMOUNT OF PAYMENT (\$) 435.00

## Complete if Known

Application Number  
Filing Date  
First Named Inventor Jan RAA et al  
Examiner Name  
Group Art Unit  
Attorney Docket No. CU-2535 WDD

## METHOD OF PAYMENT

1. ☒ The Commissioner is hereby authorized to charge indicated fees and credit any overpayments to:

Deposit Account Number 12-0400

Deposit Account Name Ladas &amp; Parry

- ☒ Charge Any Additional Fee Required Under 37 CFR 1.16 and 1.17

- ☒ Applicant claims small entity status. See 37 CFR 1.27

2. ☒ Payment Enclosed:

☒ Check ☐ Credit card ☐ Money Order ☐ Other

## FEE CALCULATION

## 1. BASIC FILING FEE

Large Entity	Small Entity	Fee Code	Fee Code	Fee Description	Fee Paid
101	710	201	355	Utility filing fee	355.
106	320	206	160	Design filing fee	
107	490	207	245	Plant filing fee	
108	710	208	355	Reissue filing fee	
114	150	214	75	Provisional filing fee	

SUBTOTAL (1) (\$) 355.

## 2. EXTRA CLAIM FEES

Extra Claims Fee from below Fee Paid

Total Claims 18 -20 = 0 x 40 = 80.

Independent Claims 5 -3 = 2 x 40 = 80.

Multiple Dependent

Large Entity	Small Entity	Fee Code	Fee Code	Fee Description
103	18	203	9	Claims in excess of 20
102	80	202	40	Independent claims in excess of 3
104	270	204	135	Multiple dependent claim, if not paid
109	80	209	40	** Reissue independent claims over original patent
110	18	210	9	** Reissue claims in excess of 20 and over original patent

SUBTOTAL (2) (\$) 80.

\*For number previously paid, if greater; For Reissues, see above

## FEE CALCULATION (continued)

## 3. ADDITIONAL FEES

Large Entity	Small Entity	Fee Code	Fee Code	Fee Description	Fee Paid
105	130	205	65	Surcharge - late filing fee or oath	
127	50	227	25	Surcharge - late provisional filing fee or cover sheet	
139	130	139	130	Non-English specification	
147	2,520	147	2,520	For filing a request for ex parte reexamination	
112	920*	112	920*	Requesting publication of SIR prior to Examiner action	
113	1,840*	113	1,840*	Requesting publication of SIR after Examiner action	
115	110	215	55	Extension for reply within first month	
116	390	216	195	Extension for reply within second month	
117	890	217	445	Extension for reply within third month	
118	1,390	218	695	Extension for reply within fourth month	
128	1,890	228	945	Extension for reply within fifth month	
119	310	219	155	Notice of Appeal	
120	310	220	155	Filing a brief in support of an appeal	
121	270	221	135	Request for oral hearing	
138	1,510	138	1,510	Petition to institute a public use proceeding	
140	110	240	55	Petition to revive - unavoidable	
141	1,240	241	620	Petition to revive - unintentional	
142	1,240	242	620	Utility issue fee (or reissue)	
143	440	243	220	Design issue fee	
144	600	244	300	Plant issue fee	
122	130	122	130	Petitions to the Commissioner	
123	50	123	50	Petitions related to provisional applications	
126	240	126	240	Submission of Information Disclosure Stmt	
581	40	581	40	Recording each patent assignment per property (times number of properties)	
146	710	246	355	Filing a submission after final rejection (37 CFR § 1.129(a))	
149	710	249	355	For each additional invention to be examined (37 CFR § 1.129(b))	
179	710	279	355	Request for Continued Examination (RCE)	
169	900	169	900	Request for expedited examination of a design application	

Other fee (specify)

\*Reduced by Basic Filing Fee Paid

SUBTOTAL (3) (\$) 0.

## SUBMITTED BY

Name (Print/Type) W. Dennis Drehkoff

Registration No. 27193

## Complete (if applicable)

Telephone (312)427-1300

Signature

W. Dennis Drehkoff

Date 05/14/01

WARNING: Information on this form may become public. Credit card information should not be included on this form. Provide credit card information and authorization on PTO-2038.

Burden Hour Statement: This form is estimated to take 0.2 hours to complete. Time will vary depending upon the needs of the individual case. Any comments on the amount of time you are required to complete this form should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, Washington, DC 20231. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Assistant Commissioner for Patents, Washington, DC 20231.